

CITY OF TAMPA'S

LIFT UP

LOCAL

ECONOMIC RECOVERY PLAN

**A Guide for Expanded
Restaurant + Retail Space
Phase 3**

Revised 8.20.2020

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About This Guide

This Guidebook supercedes all previous versions of this Guidebook. This Guidebook is specifically for Phase 3 of the Lift Up Local Program. The duration and effective date shall coincide with the City of Tampa Executive Order in which this Plan Guide is adopted.

1. PREFACE

Governor DeSantis Executive Order 20-112 and 20-139

On April 29, Governor Ron DeSantis announced a plan for Florida's reopening post COVID-19. Executive Order 20-112, as amended, also referred to as "Phase 1," took effect at 12:01 a.m. Monday, May 4, 2020. On June 3, 2020, the Governor issued Executive Order 20-139 (as amended and extended), which moved all Counties in the state, except Miami-Dade, Broward and Palm Beach, into Phase 2 of the Governor's Plan for Florida's Recovery, effective at 12:01 a.m. on Friday June 5, 2020. The Phase 2 Executive Order and associated guidance provide the following:

- ▶ Restaurants and food establishments* licensed under Chapters 500 and 509, Florida Statutes, may allow on-premises consumption of food and beverage, so long as they adopt appropriate social distancing measures and limit their **indoor occupancy to no more than 50 percent of their building occupancy, excluding employees.**

**This may include establishments that derive more than 50 percent of gross revenue from the sale of alcohol beverages but are ALSO a food establishment licensed under FS Ch. 500 or 509.*

- ▶ Appropriate social distancing requires maintaining a **minimum of 6 feet between parties**, except to the extent that appropriate partitioning is in place
- ▶ Parties should not exceed 10 people. Businesses should limit inside waiting areas for patrons waiting to be seated.
- ▶ Businesses should thoroughly clean and disinfect all surfaces after each use.
- ▶ Businesses should consider a reservations-only business model or call-ahead seating to manage spacing in restaurant.
- ▶ **Outdoor dining areas should be prioritized** with six-foot spacing between tables.
- ▶ Interior Bar areas may be open, but only with seated services. No outdoor Bars.
- ▶ On-site sale and retail businesses will be allowed to operate at full indoor capacity and should abide by the safety guidelines issued by the CDC and OSHA.

- ▶ **Facial coverings** should be worn for all those in face-to-face interaction roles (e.g., servers, retail workers) and where six foot social distancing cannot be maintained. Likewise, all patrons are now required to wear face coverings when indoors at restaurants and retail businesses, except while eating and drinking.

City of Tampa Restaurant + Retail Recovery Program

In concert with the Governor's Executive Order, the City of Tampa has created the following guidelines to temporarily allow restaurants and retail businesses to expand their business footprint onto the public rights-of-way or in privately owned parking facilities without meeting certain City code and permit requirements.



"We want to lift up our local businesses through this recovery and empower them to re-open responsibly, by giving our local business owners as many tools and as much space as possible to safely serve guests, we can work together to protect our workforce, our customers, and our community. Our small businesses are the backbone of our economy, and we need their help to safely and successfully re-open our city and get back to all the things we love--one step at a time."

Jane Castor, City of Tampa Mayor



"The safety of the public is our top priority as the City moves forward to reopen. Law enforcement has properly planned strategies and logistical needs to aide and educate consumers and business owners with guideline restrictions. Our efforts will ensure all comply with social distancing standards and sanctions."

Brian Dugan, City of Tampa Police Chief



"Tampa Fire Rescue, including the Fire Marshal's Office and the Emergency Management Division, stand ready to implement this measured approach to balance the health and safety of our community with the economic revival we need. Our mission is service to the public and our commitment has not wavered."

Nick LoCicero, City of Tampa Fire Chief

COVID-19 Requirements

In the interest of public safety, the following requirements will be applicable to all restaurants and retail businesses in the City of Tampa that utilize any City rights-of-way for outdoor seating:

- ▶ Indoor capacity limited to **50% of building occupancy**, excluding staff personnel.
- ▶ All indoor and outdoor seating must be spaced at least **six feet apart**, except to the extent that appropriate partitioning is in place.
- ▶ It is strongly encouraged to **test your workforce for COVID-19**. Call (813) 272-5900 for free testing. No symptoms necessary, and insurance is not required.
- ▶ Use disposable paper **menus**.
- ▶ Provide easily accessible sanitizer for patrons and employees.
- ▶ It is strongly encouraged to implement **contactless ordering and payment processes**.
- ▶ All restaurants are encouraged to use **a reservation process** to prevent capacity issues. Restaurants using Parklets or participating in the 'Café and Retail' zones are REQUIRED to use a reservation process to prevent patrons from congregating while waiting for service.
- ▶ **Facial coverings** must be worn by "front of house" staff members who interact with customers. Likewise, all patrons must wear face coverings when indoors at restaurants and retail businesses, except while eating and drinking.
- ▶ **Limit contact with dining guests** by reducing the number of visits wait staff make to each table.
- ▶ Public or private sidewalks which are utilized under this program **may be used for outdoor seating only. No Bars are permitted in the outdoors areas.**
- ▶ **Bars, pubs and taverns which are not licenses food establishments shall not be allowed to utilize any public or private sidewalks for outdoor service or seating.**

Economic Recovery Call Center

The City of Tampa has established a Call Center to communicate with local businesses during economic recovery from the COVID-19 pandemic.

Call: 1-833-TPA-INFO (1-833-872-4636)

Visit: www.tampagov.net/emergency-management/step-by-step

2. RESTAURANT + RETAIL RECOVERY PROGRAM

Restaurant + Retail Recovery Program Overview

The City of Tampa's Restaurant + Retail Recovery Program has been established to ensure businesses have the greatest ability to operate successfully during the COVID-19 economic recovery. The program entails leveraging available private and public space to be used as expanded areas for restaurant and retail activity while maintaining public safety requirements.



This section covers Temporary Outdoor Dining and Retail Activity in two major areas: Public Rights-of-Ways; and Private Property. This section describes the conditions when a permit is needed and where it not needed. The following table describes the situations where a permit is needed.

Permit Required?	
Sidewalk Café without Tent	No
Sidewalk Café with Tent	Yes, EZ Pass Permit
Private Parking Lot without Tent	No
Private Parking Lot with Tent	Yes, EZ Pass Permit
Parklet in Public Right-of-Way	Yes, Permission from Mobility Department

2A – Temporary Outdoor Dining + Retail Activity in Public Rights-of-Way

The City of Tampa is temporarily suspending City Code and permit application and approval requirements for restaurants and retail businesses to expand operating space in designated portions of the public rights-of-way. These areas are limited to the following:

Sidewalks: The City of Tampa is now allowing businesses to temporarily use sidewalks for additional restaurant seating or retail purposes. Tents will require a EZ Pass Permit.

Parklets: Parklets are on-street parking spaces that have been temporarily converted for other uses, such as expanded outdoor dining areas. See specific requirements for parklets later in this section. No tents are allowed in parklets. Parklets on State roads are excluded from this program as the City does not regulate State rights-of-way.



To participate in the program, minimum life safety requirements and Americans with Disability Acts (ADA) must still be met as described in this Section. It shall be the responsibility of the business to ensure that these requirements are maintained at all times the business is operating within the public right-of-way.

Sidewalks

Sidewalk activation for restaurants and retail businesses have typically required Sidewalk Café Permits (per Chapter 22, Subdivision IX, of the City of Tampa Code of Ordinances). The City of Tampa is suspending the requirement to apply for a permit unless a tent is being erected. The City of Tampa is now allowing businesses to temporarily use sidewalks, subject to the conditions in this Guidebook, for additional restaurant seating or retail purposes.

Expanded Sidewalk Requirements for Restaurant & Retail

For the duration of Governor DeSantis' Executive Order 20-112 and 20-139, as amended, modified and extended, City Code requirements regarding certain permitting of sidewalk cafes shall be temporarily suspended. However, any restaurant or retail business erecting a tent will be required to get a permit. Businesses utilizing City rights-of-way shall comply with the following requirements during this time period. Operational Requirements for Sidewalk Cafes per Sec. 22-

227 shall remain in effect as described below and shall generally apply to all private business operations including retail establishments.

General Requirements

Outdoor café seating and retail operations within sidewalks and public rights of way shall maintain:

- ▶ Adequate pedestrian flow of at least 6 feet; A graphic depicting outdoor seating parameters is attached to this guidebook.
- ▶ Access to public utilities, building entrances, crosswalks, bus stops and transient entrances;
- ▶ Pedestrian and traffic safety; and
- ▶ Aesthetic compatibility with the surrounding area.
- ▶ All patrons must be in a seat. No seat, No service.

Location Requirements

1. The width of the sidewalk café or retail space is restricted as follows:
 - a. The width shall not exceed the width of the sidewalk frontage of the subject property. However, the area of the permit may be extended up to a maximum of fifty (50) feet on one (1) side of the subject location, subject to the provisions of subsection b. of this section.
 - b. The sidewalk café or retail area may extend by a maximum of fifty (50) contiguous feet in the public right-of-way on one (1) side and/or the other side of the private property so long as the property directly abuts the public right-of-way. Adjacent businesses are strongly encouraged to coordinate.
2. A clearly marked, unobstructed, and durable pedestrian right-of-way, also known as the "pedestrian path", that meets required accessibility standards, of no less than **six (6) feet** shall be maintained for each sidewalk café area and shall adhere to the following standards:
 - a. The minimum distance of said path shall be measured from the portion of the sidewalk café/retail space boundary which is nearest either the curb line or the nearest obstruction.
 - b. In no event may recesses in the sidewalk café/retail space boundary be used to satisfy this unobstructed width requirement for said path, except that the corners of the sidewalk café/retail space may be rounded or mitered.
 - c. Sidewalk cafés/retail spaces shall maintain a clearance of **six (6) feet** around the corners of other sidewalk cafés measured in radius.

3. The pedestrian path shall maintain a minimum of six (6) feet from large obstructions. No tables, or chairs, umbrellas or other fixtures shall be permitted within six (6) feet of a pedestrian crosswalk or corner curb cut. For the purposes of this section, large obstructions shall be bus stops shelters, newsstands, existing planters or any other object greater than fifteen (15) square feet in area.
4. Access to fire hydrants, fire hose connections for sprinkler systems, and entrances and exits of all buildings shall not be obstructed at any time by barriers or seating. The twenty (20) feet fire lane shall not be obstructed at any time. There shall be a minimum of forty (40) inches in distance separating the edge of a table or chair to a fire department connection.
5. No object shall be permitted around the perimeter of an area occupied by tables and chairs which would have the effect of forming a physical or visual barrier discouraging the free use of the tables and chairs by the general public or which would have the effect of obstructing the pedestrian path.
6. The operational hours of the space shall be restricted to the adjacent business operating hours.

Construction; signage; maintenance and Umbrellas

1. Appropriate lighting of the sidewalk café/retail space is required if operating outside of daytime hours.
2. Use of landscaping and planters is permissible, however these materials should not be permanently affixed to any public rights-of-way.
3. All signage must be in compliance with this Code. Signs are prohibited on umbrellas, chairs, tables and other permissible fixtures which are located on the public right-of-way, except that the establishment identified on the permit and/or its logo shall be permitted on umbrellas.
4. Use of removable barriers to define the sidewalk café is permissible.
5. No heating, cooking or open flames are permitted in the sidewalk café. However, space heaters are permitted provided that they are an outdoor approved type, are located in accordance with the manufacturer's recommendations, and are located at least two (2) feet from the edge of any umbrella canvas, any foliage, or any other flammable object or material.
6. No food preparation, plastic food displays, food storage, or refrigeration apparatus shall be allowed on the public right-of-way.
7. Umbrellas and other decorative material shall be fire-retardant, pressure-treated or manufactured of fire-resistant material. No portion of an umbrella shall be less than six (6) feet, eight (8) inches (eighty (80) inches) above the sidewalk.

City of Tampa Right to Clear Right-of-Way

The City reserves the right to remove a sidewalk café/retail space that (i) creates an obstruction to, or causes congestion of, pedestrian or vehicular traffic due to existing conditions on the surrounding public right-of-way if it finds the installation represents a danger to the health, safety or general welfare of the public (ii) a business violates the requirements of these Guidelines or Executive Order in which this Plan Guide is adopted.

The City may require the removal, temporary or permanent, of the sidewalk café/retail space when redevelopment of the street or sidewalk, or utility repairs necessitates such action, or the permittee fails to comply with the criteria set forth in Sec. 22-226 of the Code of Ordinances. Any costs incurred by the City for removal or storage of sidewalk café tables, chairs and other equipment shall be the responsibility of the business. The City is not responsible for any damages or loss of equipment removed pursuant to this subsection.

Parklets



Parklets can be used by one or more businesses, and don't require streets to be closed. The City will be temporarily suspending certain codes for private use of on-street parking spaces within the public right-of-way, for uses consistent with the requirements in this guidebook. Parklets will be allowed at no fee with permission from the Mobility Department on case-by-case basis. To obtain permission for a parklet, contact Danni Jorgenson at (813) 274-3279 or via e-mail at Danni.Jorgenson@tampagov.net. Request for parklets will be responded to within 24 hours of contacting the Mobility Department on regular business days. Inspections for parklet installations will be responded to within 24 hours from notifying the City.

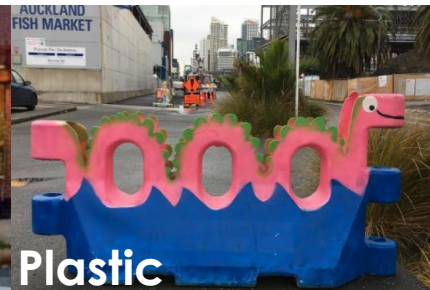
- ▶ All patrons must be in a seat. No seat, No service.
- ▶ Metered parking spaces must be requested and approved in advance by contacting the City Call Center at 1-833-TPA-INFO. The

City of Tampa Parking Division will bag spaces at no cost to the business, and the business will then be permitted to temporarily use the additional space for restaurant or retail use.

- ▶ Non-metered spaces may be activated by an adjacent business by contacting the Mobility Department for permission. The business will then be permitted to temporarily use the additional space for restaurant or retail use.

Temporary Removable Barrier Materials

Temporary barrier materials, such as those depicted below, can be utilized to better define boundaries of extended business operations. Any equipment or furniture placed in the parking space cannot be placed closer than 2 feet from the edge of the adjacent travel lane. Safe pedestrian pathways between barrier walls must be provided. For questions relating to barrier wall placement, please call the Tampa Fire Marshal's office at (813) 274-7000.



Temporary Surface Materials

Temporary surface materials, such as those depicted below, are permitted for application on sidewalks and parking spaces.



Business Responsibilities for Sidewalks and Parklets

It shall be the responsibility of the business to activate the spaces described in this section with temporary materials such as tables and chairs, umbrellas, and visual/physical barrier materials as needed per site specific conditions. Maintenance (daily upkeep, litter cleanup, etc.) associated with business operations shall also be the responsibility of the business.

Alcoholic Beverages

Restaurants and food establishments licensed under Florida Statutes Chapters 500 and 509, will be permitted to sell and allow on-premise consumption of alcoholic beverages within expanded dining areas on private property, on immediately adjacent private and public sidewalks, and within parklets.

Restaurants utilizing public rights-of-way for outdoor dining shall comply with the following closing times:

- ▶ Thursday through Saturday – close at 11:00 PM
- ▶ Sunday through Wednesday – close at 10:00 PM

Restaurants not currently permitted to sell alcohol will not be affected by this program.

2B – Temporary Outdoor Dining + Retail Activity on Private Property

In accordance with City of Tampa Executive Order in which this Plan Guide is adopted, businesses may expand dining and retail areas to certain areas of private property not typically permitted for business activity, such as private sidewalks and private parking lots.

Use of Private Parking Lots

Off-site private parking spaces counted for required parking may be converted to outdoor dining or retail space, when the lot is immediately adjacent to the parent property. The converted use must be in conformance with all Tampa Fire Rescue requirements for building accessibility, and social distancing requirements that provide at least six feet spacing between tables and pathways. No expansion area is allowed in vehicular drive isles or fire access lanes. Additionally, no parking for disabled persons may be repurposed for restaurant or retail use. No permit is required unless a tent or other shade structure is proposed in conjunction with temporary expansion into the private parking lot. See Section 2C for Tent or Other Shade Structure Requirements.

The required landscape and buffer areas for the off-site private parking spaces (Vehicular Use Areas), shall not be used as an expanded converted use for restaurants or retail operations. There shall not be parking, outside seating, or retail activities in these areas.

Erection of Tents and Other Shade Structures on Private Property

Tents or other shade structures that are 600 square feet or smaller may be erected in parking spaces to provide shade for the dining area. The Fire Marshal requirements listed under “General Requirements for Restaurants, Use of Tents or Shade Structure” must be met. See Section 2C on the next page.

Tents or shade structures must comply with I.F.I.A. tent handbook requirements.

Setbacks on Private Property

Since this program is allowing temporary expansion on private property, no permanent structures are allowed to be proposed to expand the temporary area for outdoor seating. Temporary placement of equipment such as wash stations and hand sanitizing stations or stations for staff set up and service do not need to meet required yard setbacks.

2C – Use of Tents or Shade Structures on Private and Public Sidewalks, Private Parking Spaces, or Parklets

- ▶ The following requirements shall apply to use of tents or shade structures within public spaces:
 - The maximum size tents that may be placed within sidewalks and parking spaces will be 600 square feet.
 - No staking of tents is permitted in public rights-of-way, other than on public sidewalks.
 - All tent legs must be weighted.
 - Each leg must have a minimum of 40lbs.
 - Weights must be securely attached to canopy roof and canopy leg separately
 - Ropes and straps should be high quality.
 - Bungee or rubber straps are prohibited.
 - Weights must be on the ground and not dangling.
 - Weights and lines must not pose a hazard and be clearly visible.
 - For maximum safety, tents should be secured as soon as they are put up, and brought down as soon as weight is removed. Do not leave unsecured tents at any time.
 - Heaters of any kind shall not be used under tents or umbrellas.
 - Smoking is prohibited under tents and shade structures.
 - Tents must not have closed walls in place while open to the public, and all sides should be open for air flow.
- ▶ Items that make acceptable weights:
 - 5 gallon bucket full of water, sand, or concrete
 - 4" PVC pipe at least 36" long filled with concrete
 - Large commercially available tent weights
 - Sandbags or salt bags 40lbs or heavier
 - Tents or other shade structures larger than 10-foot by 10-foot, but no greater than 600 square feet must comply with IFIA Tent Handbook
- ▶ Fire Marshal Checklist for Operating Tents within City Limits
- ▶ The Fire Marshal's office will have staff available to assist with ensuring life safety needs and can be reached by calling (813) 274-7000.
- ▶ All patrons must be in a seat. No seat, No service.

3. FREQUENTLY ASKED QUESTIONS

Do I need a permit or approval to add restaurant tables to the sidewalk in front of my business without a tent?

No. The requirement to obtain a Sidewalk Café Permit has been temporarily suspended for the duration of City of Tampa Executive Order in which this Plan Guide is adopted.

Do I need a permit or approval to add a tent on public or private sidewalks, or private parking lots?

Yes. Tents will require a Fast Pass Permit at no fee.

- The temporary time limit for tents or other shade structures is waived for the duration of City of Tampa Executive Order in which this Plan Guide is adopted.
- Permit submission must pass Fire Marshall requirements for tents or other shade structures.
- Maximum tent size for Fast Pass is 600 square feet. Requests for tents larger than 600 sq. ft. could be reviewed on case-by-case basis.
- Tent permits will be processed within 24 hours. Submittal to include appropriate anchoring, wind load certifications, Fire Marshall's Life Safety requirements, etc.
- Submit permit to Gabrielle Williams via e-mail at Gabrielle.williams@tampagov.net or contact her at (813) 274-7000.
- Same or next day review for issuance of tent permits.
- Inspections to be completed within 24 hours from notifying City.

Do I need to get approval to take over a public parking space in front of my business?

Yes. Parklets will be allowed on a case-by-case basis and require permission from the Mobility Department by contacting Danni Jorgenson at (813) 274-3279. No tents will be allowed within parklets. On-street parking spaces with parking meters must be approved by the City of Tampa. Businesses may call 1-833-TPA-INFO (1-833-872-4636) to request one or more parking meters be bagged/covered so the parking space may be used by the business for the duration of the pilot.

On-street spaces without parking meters do not require any notification of the City Parking Department. Un-metered spaces are available for business use consistent with the requirements in this guidebook and permission from the Mobility Department.

What are the hours of operation allowed on sidewalks and parklets?

The permitted business hours of operation for indoor portions of your business should remain consistent with your business's typical hours of operations. If you are expanding operations outdoors, outdoor seating hours end at 10 pm Sunday through Wednesday and 11 pm Thursday through Saturday. Please be mindful of your neighbors and any additional noise that may be generated.

What if I don't know my businesses' capacity or occupancy load, how do I calculate the allowable 50%? Does the 50% rule apply to both inside and outdoors?

The "50% rule" only applies to indoor capacity requirements but excluding employees. Outdoor requirements are based on table spacing of 6 feet (measured from the backs of chairs) and provisions for safe pedestrian pathways. If you don't know the allowable capacity of your business to calculate the 50%, please call the Fire Marshal at (813) 274-7000.

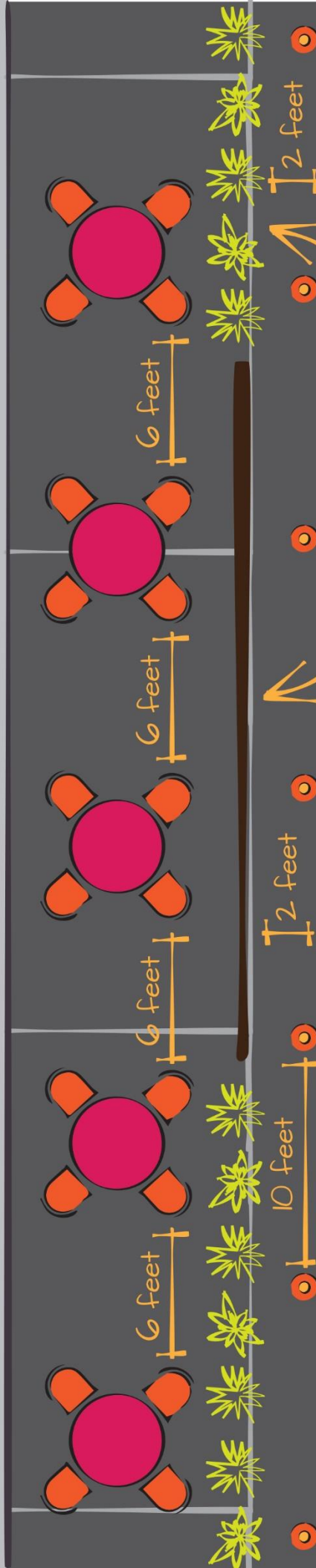
How does the "6-foot rule" work for restaurant seating?

If people are at a table together, they don't need to be 6 feet apart. Each table setting needs to be 6' from other tables measured from the back of each chair, chair-to-chair, unless appropriate partitioning is in place.

Do you have an example of outdoor seating in Public Right-of-Ways?

Yes. Please see a graphic example of outdoor seating and parklets on the following page.

Existing Business



Please note:
Parklets should
not be located
within 15 feet of
a fire hydrant.